

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PHUONG T. NGUYEN ,
Appellant,

Case No.: 4:20-cv-02668 YGR

**SECOND ORDER TO SHOW CAUSE RE:
APPELLANT’S FAILURE TO COMPLY WITH
COURT ORDER REQUIRING PARTIES TO
PERFECT THE RECORD**

TO APPELLANT PHUONG T. NGUYEN:

The Court previously issued an Order to Show Cause, requiring Nguyen to notify the Court in writing by July 20, 2020 and advise when Nguyen will be able to designate the record and file a statement of issues. To date, no response has been received from Nguyen. However, since that date, the Ninth Circuit Bankruptcy Appellate Panel (“BAP”) issued an order transferring its appeal to this Court because Nguyen did not take the necessary steps in this action to dismiss this case. (*See* Dkt. No. 7.) In light of the BAP’s order transferring Nguyen’s appeal to this Court, the Court is unclear whether Nguyen intends to pursue this appeal.

Thus, the Court issues this **SECOND ORDER TO SHOW CAUSE** why this action should not be dismissed.

If Nguyen intends to pursue this appeal, Nguyen must designate the record and file a statement of issues on or before **August 28, 2020**. **If Nguyen does not respond, the Court will interpret the silence as confirmation that Nguyen did not intend to file the appeal and the Court will dismiss this action for failure to prosecute.**

In light of Nguyen’s *pro se* status, Nguyen may wish to seek assistance from the Legal Help Center. Parties can make an appointment to speak with an attorney who can provide basic legal information and assistance. The Help Center does not see people on a “drop-in” basis, and will not be able to represent parties in their cases. There is no charge for this service. In light of the ongoing

1 coronavirus pandemic (“COVID-19”), the Help Center is only currently assisting parties via
2 telephone. To make an appointment with the Help Center, an individual may: (1) call 415-782-
3 8982; or (2) email federalprobonoproject@sfbar.org. The Help Center’s website is available at
4 <https://cand.uscourts.gov/legal-help>. The Help Center also has tips in Bankruptcy cases for
5 designating the record for an appeal and drafting and filing a statement of issues to be presented.

6 The District Court has produced a guide for self-represented/*pro se* litigants called
7 *Representing Yourself in Federal Court: A Handbook for Pro Se Litigants*, which provides
8 instructions on how to proceed at every stage of a case, including discovery, motions, and trial. It is
9 available electronically online (<http://cand.uscourts.gov/prosehandbook>) or in hard copy, free of
10 charge, from the Clerk’s Office.

11 **IT IS SO ORDERED.**

12 Date : August 4, 2020


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE

United States District Court
Northern District of California